



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/976,710	10/15/2001	Richard William VanderDrift		2162

7590 04/15/2005

Richard William VanderDrift
130 Magnolia Avenue
Larkspur, CA 94939

EXAMINER

COBY, FRANTZ

ART UNIT	PAPER NUMBER
----------	--------------

2161

DATE MAILED: 04/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/976,710

Applicant(s)VANDERDRIFT, RICHARD
WILLIAM**Examiner**

Frantz Coby

Art Unit

2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2161

This is in response to application filed on October 15, 2001 in which claims 1-35 are presented for examination.

Status of Claims

Claims 1-35 are pending.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-34 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "it's primary record types" in line 11. Pronouns are not allowed, only what is being referred by "it's" should be set forth in the claim.

Claim 3 recites the limitation "it's field" in line 2. Pronouns are not allowed, only what is being referred by "it's" should be set forth in the claim.

Claim 6 recites the limitation "their key fields" in line 4. Pronouns are not allowed, only what is being referred by "their" should be set forth in the claim.

Claim 11 recites the limitation "it's children" in line 9. Pronouns are not allowed, only what is being referred by "it's" should be set forth in the claim.

Claim 20 recites the limitation "it's parent" in line 13. Pronouns are not allowed, only what is being referred by "it's" should be set forth in the claim.

Claim 32 recites the limitation "it's corresponding" in line 3. Pronouns are not allowed, only what is being referred by "it's" should be set forth in the claim.

Claim 34 recites the limitation "it's dynamic" in line 2. Pronouns are not allowed, only what is being referred by "it's" should be set forth in the claim.

Claims 2-35 are at least rejected for their dependencies directly or indirectly to the rejected claim 1. They are therefore rejected as set forth in claim 1 above.

Claim 35 recites the limitation "the identical MRI" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 2 recites the limitation "the current primary record" in lines 9-11, 14-15, 17-18. There is insufficient antecedent basis for this limitation in the claim.

Art Unit: 2161

Claim 9 recites the limitation "the type of maintenance" in line 6-7. There is insufficient antecedent basis for this limitation in the claim.

Claim 10 recites the limitation "the filter" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the filter" in lines 4, 6, 9-10; "a filter" in lines 1, 5. There is insufficient antecedent basis for this limitation in the claim.

Claims 16-18 recite the limitation "wherein the step of executing a function" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claims 3-35 are at least rejected for their dependencies directly or indirectly to the rejected claim 2. They are therefore rejected as set forth in claim 1 above.

Allowable Subject Matter

Claims 1-35 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

The following is a statement of reasons for the indication of allowable subject matter: The present invention is directed to systems and methods for interfacing with and using Extensible Markup Language (XML) documents. Particularly, the present

Art Unit: 2161

invention relates to systems and methods that allow the non-programmer to easily modify the display format, functions, and filters operating upon data extracted from XML documents. However, the prior art of record failed to show the claimed feature of "defining a dynamic document by choosing an XML format or by selecting a management record type, a plurality of primary record types, and defining a hierarchical relationship for the selected primary record types; creating and updating primary record instances from XML documents; displaying data from the primary record instances using the dynamic document instances; creating an XML document definition for the dynamic document; and writing an XML document for the dynamic document instance". These claimed feature being present in independent claim 1 would rendered claims 1-35 allowable over the prior art of record if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantz Coby whose telephone number is 571 272 4017. The examiner can normally be reached on Monday-Saturday 3:00PM-10:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571 272 4023. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2161

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Frantz Coby
Primary Examiner
Art Unit 2161

April 12, 2005